

United States District Court

DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

v.

JIMMIE L. LARK

Criminal Complaint

05-118M

REDACTED

(Name and Address of Defendant)

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

From on or about July 16, 2004, to on or about June 27, 2005, in New Castle and Kent County, in the District of Delaware,

defendant(s), (Track Statutory Language of Offense)

did utter and possess counterfeited securities of organizations, e.g. counterfeited checks, with intent to deceive another organization, e.g. financial institutions,

in violation of Title 18 United States Code, Section(s) 513.

I further state that I am a(n) Detective, Delaware State Police and that this complaint is based

Official Title

on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: YES


Signature of Complainant

Nancy Skubik, Detective
Delaware State Police

Sworn to before me and subscribed in my presence,

October 19, 2005
Date

Honorable Mary Pat Thyng
United States Magistrate Judge
Name & Title of Judicial Officer

at Wilmington, DE
City and State


Signature of Judicial Officer

AFFIDAVIT OF NANCY SKUBIK

Your affiant, Nancy Skubik, being duly sworn, do hereby depose and state:

1. I am a detective with the Delaware State Police, assigned to Troop 2 located at 100 LaGrange Ave, Newark, De 19702. I have been a sworn officer for the Delaware State Police for 7 years, and I have been assigned to the Financial Crimes Unit for approximately 2 years.
2. I submit this affidavit in support of a criminal complaint and warrant authorizing the arrest of Jimmie Lee Lark for passing counterfeit checks in violation of Title 18, United States Code, Section 513. I obtained the information contained in this document by personal knowledge, reviewing documents, and reviewing bank photographs.
3. On 08/4/4, I began investigating a counterfeit check case in which an older unidentified black male began negotiating counterfeit checks at various banks in Delaware.
4. On 08/4/04, Frances Zeock, fraud investigator for Wachovia Bank, responded to Troop 2 in reference to a counterfeit check case. She provided surveillance photographs from the transactions and copies of the checks.
5. Zeock advised that on 07/16/04, at 1614 hours, the suspect, Jimmie Lark, presented a Pennsylvania drivers license with the name of Jimmie Lark to cash a check in the amount of \$2503.76 drawn on the Vitl Communications, LLC, from Wachovia Bank. Check #1210 ~~12~~ was made payable to Jimmie Lark and was cashed at the branch located at 2011 Concord Pike, Wilmington DE.
NK 101905
6. Zeock advised that on 07/19/04, at 1253 hours, the suspect, Lark, presented a Pennsylvania drivers license with the name of Jimmie Lark to cash a check in the amount of \$2516.35 drawn on the Vitl Communications, LLC from Wachovia Bank. Check # 1211 was made payable to Jimmie Lark and was cashed at the branch located at 814 Philadelphia Pike, Wilmington DE.
7. Zeock advised that on 07/20/04, at 1233 hours, the suspect, Lark, presented a Pennsylvania drivers license with the name of Jimmie Lark to cash a check in the amount of \$2511.76 drawn on the Vitl Communications, LLC from Wachovia Bank. Check # 1212 was made payable to Jimmie Lark and was cashed at the branch located at 3215 Old Capitol Trail, Wilmington DE.
8. Zeock provided surveillance photographs and copies of the checks that were presented. She provided information for Jimmie Lark and an affidavit by a representative of Wachovia and by the alleged maker of the checks advising that these checks were fraudulent.

9. On 07/19/05, I obtained a copy of the Pennsylvania Drivers License for Jimmie Lee Lark with a photograph. The photograph included appears to match the surveillance photographs from the above transactions. Also the drivers license recorded on the checks matches Jimmie Lark.
10. On 07/26/05, a postal inspector contacted a Cynthia Lark at [REDACTED] Philadelphia PA. She stated that she was Jimmie's sister and identified him as the subject in the motor vehicle identification photograph.
11. On 10/15/04, William Gula, a fraud investigator for Wilmington Trust, responded to Troop 2 in reference to counterfeit checks. He provided a report, the original checks, and photographs from the transactions. Gula advised that on 08/23/04, at 1434 hours, suspect Lark presented a Maryland drivers license with the name of James Knight and a check in the amount of \$1531.76, number 21787, drawn on the Wilmington Trust account of Dietz Enterprises Inc and made payable to James Knight. This transaction occurred in the Wilmington Trust branch located at 289 Christiana Rd, New Castle DE. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
12. Gula advised that on that same date, at 1532 hours, the suspect, Lark, presented a Maryland drivers license with the name of James Knight and a check in the amount of \$1612.31, number 21788, drawn on the Wilmington Trust account of Dietz Enterprises Inc, and made payable to James Knight. This transaction occurred in the Wilmington Trust branch located at 550 Elkton Rd, Newark DE. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
13. Gula advised that on the same date, at 1554 hours, the suspect, Lark, presented a Maryland drivers license with the name of James Knight and a check in the amount of \$1659.43, number 21789, drawn on the Wilmington Trust account of Dietz Enterprises Inc, and made payable to James Knight. This transaction occurred in the Wilmington Trust branch located at 82 E. Main St. Newark DE. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
14. On 08/26/04, at 13:43 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wilmington Trust Branch located at 436 West Glennwood Ave, Smyrna DE 19977. He presented a check in the amount of \$1609.33, #17971, drawn on the University & Whist Club of Wilmington, and made payable to Richard Gownes. The check was signed at the bank. The subject presented a Oregon license in the name of Richard Gownes. This transaction was captured on bank surveillance. This check was returned as counterfeit. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.

15. On 08/26/04, at 14:18 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wilmington Trust Branch located at 139 S. State St, Dover, DE 19901. He presented a check in the amount of \$1635.12, #17972, drawn on the University & Whist Club of Wilmington, and made payable to Richard Gownes in the amount of \$1635.12. The check was signed at the bank. The subject presented a Oregon license in the name of Richard Gownes. This transaction was captured on bank surveillance. This check was returned as counterfeit. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
16. On 08/26/04, at 14:33 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wilmington Trust Branch located at 1001 Walker Road, Dover, DE 19904-6572. He presented a check in the amount of \$1618.33, #17975, drawn on the University & Whist Club of Wilmington, and made payable to Richard Gownes. The check was signed at the bank. The subject presented a Oregon license in the name of Richard Gownes. This transaction was captured on bank surveillance. This check was returned as counterfeit. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
17. On 08/27/04, at 10:47 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wilmington Trust Branch located at 3801 Kennett Pike, Wilmington, DE 19807-2314. He presented a check in the amount of \$1675.54, #17973, drawn on the University & Whist Club of Wilmington, and made payable to Richard Gownes. The check was signed at the bank. The subject presented a Oregon license in the name of Richard Gownes. This transaction was captured on bank surveillance. This check was returned as counterfeit. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
18. On 10/01/04, Steve Flicker, a fraud investigator for Wilmington Trust, responded to Troop 2 in reference to a counterfeit check case. He provided the original checks and the information for the incidents involving this suspect.
19. On 09/10/04, at 1322 hours, the suspect, Jimmie Lark, presented a Pennsylvania drivers license with the name of Howard Sims and a check in the amount of \$1708.11 drawn on the Providence Creek Services, LLC, account at Wilmington Trust. The check, #3403, was made payable to Howard Sims. This occurred at the Wilmington Trust branch at 2371 Limestone Rd, Wilmington DE and was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
20. On 09/10/04, at 1349 hours, the suspect, Jimmie Lark, presented a Pennsylvania drivers license with the name of Howard Sims and a check in the amount of \$1754.76 drawn on the account of Providence Creek Services, LLC at

Wilmington Trust. The check, #3404, was made payable to Howard Sims. This occurred at the Wilmington Trust branch at 100 N. James St, Wilmington DE and was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.

21. On 09/10/04, at 1425 hours, the suspect, Jimmie Lark, presented a Pennsylvania drivers license with the name of Howard Sims and a check drawn on the Providence Creek Services, LLC, account at Wilmington Trust. The check, #3405, was made payable to Howard Sims for the amount of \$1722.65. This occurred at the Wilmington Trust branch at 1207 N. Union St. Wilmington DE and was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
22. On 09/13/04, at 1030 hours, the suspect, Jimmie Lark, presented a Pennsylvania drivers license with the name of Howard Sims and a check drawn on the Providence Creek Services, LLC, account at Wilmington Trust. The check, #3409, was made payable to Howard Sims for the amount of \$1704.62. This occurred at the Wilmington Trust branch at 10 Fox Hunt Drive, Bear DE and was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos. The teller held the license and the check and the suspect fled.
23. On 09/24/04, at 17:42 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wachovia Bank located at 1621 S. College Avenue, Newark, De. He presented a check, #11648, drawn on Pharmaceutical Infrmtn Asc Ltd. made payable to Terry Highsmith in the amount of \$2747.11. Lark presented a PA license in the name of Terry Highsmith. This transaction was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos. This check was returned as counterfeit.
24. On 09/24/04, at 15:07 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wachovia Bank located at 2450 Glasgow Ave, Newark, De. He presented a check, #11647, drawn on Pharmaceutical Infrmtn Asc Ltd. made payable to Keith C. Taddei in the amount of \$2747.11. The subject presented a PA license in the name of Keith Taddei. This transaction was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos. This check was returned as counterfeit.
25. On 10/14/04 at 1348 hours, the suspect, Jimmie Lark, entered Wachovia Bank located at 2011 Concord Pike, Wilmington, DE and presented and cashed check # 5121 drawn on the account of Collier, Jacob & Mills, dated 10/13/04, made

payable to Joel Price in the amount of \$2,522.09. The suspect presented a Michigan driver license in the name of Joel Price. This transaction was captured on bank surveillance. This check was returned as a counterfeit. Due to the suspect's actions, Wachovia bank lost \$ \$2,522.09. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.

26. On 10/15/04 at 1656 hours, the suspect, Jimmie Lark, entered Wachovia Bank located at 100 N. Dupont Highway, Dover, DE 19901 and presented and cashed check # 5141, dated 10/14/04, made payable to Joel Price in the amount of \$2,511.34. The suspect presented a Michigan driver license in the name of Joel Price. This transaction was captured on bank surveillance. This check was returned as a counterfeit. Due to the suspect's actions, Wachovia bank lost \$2,511.34. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
27. On 10/29/04 at 1100 hours, the suspect, Jimmie Lark, entered Wachovia Bank located at 814 Philadelphia Pike, Wilmington, DE 19809. The suspect presented check # 13000, dated 10/28/04 for \$2,541.61, made payable to Ronald Hart, endorsed in the name Ronald Hart. This check was drawn on the Wachovia account for the National Constitution Center. The suspect presented a Michigan driver license and a credit card in the name of Ronald Hart. The suspect received \$2,541.61 from Wachovia Bank. This check was returned because it was counterfeit. The National Constitution Center signed an affidavit of forgery for the above check. This transaction was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos. Due to the suspect's actions, Wachovia Bank has lost \$2,541.61.
28. On 02/04/05, at 14:45 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wachovia Bank located at 2450 Glasgow Ave, Newark, De. He presented a check, #11199, drawn on Shulman, Rogers, Gandal, Pordy & Ecker PA. made payable to Lamont Bishop in the amount of \$3116.00. The subject presented a DE license in the name of Lamont Bishop. This transaction was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos. This check was returned as counterfeit.
29. On 02/07/05, at 15:22 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wachovia Bank located at 1601 Governors Place, Bear, De 19701. He presented a check, #11196, drawn on Shulman, Rogers, Gandal, Pordy & Ecker PA. made payable to Lamont Bishop in the amount of \$3115.22. The subject presented an AZ license in the name of Lamont Bishop. This transaction was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos. This check was returned as counterfeit.

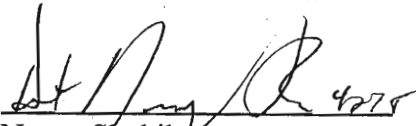
30. On 02/07/05, at 16:27 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wachovia Bank located at 100 N Dupont Hwy, Dover, De 19901. He presented a check, #11197, drawn on Shulman, Rogers, Gandal, Pordy & Ecker PA. made payable to Henry Wallace in the amount of \$3119.00. The subject presented an AZ license in the name of Henry Wallace. This transaction was captured on bank surveillance. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos. This check was returned as counterfeit.
31. On 02/07/05, at 16:42 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wachovia Bank located at 101 W. Lockerman St. Dover, De 19904. He presented a check, #11195, drawn on Shulman, Rogers, Gandal, Pordy & Ecker PA. made payable to Henry Wallace in the amount of \$3112.00. The subject presented an AZ license in the name of Henry Wallace. This transaction was captured on bank surveillance. This check was returned as counterfeit. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
32. On 05/27/05, at 16:05 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wachovia Bank located at 2450 Glasgow Ave, Newark, De. He presented a check, #8147, drawn on Robert Cawley, LLC, made payable to Gary J. Cop Sr. in the amount of \$3536.13. The subject presented a NJ license in the name of Gary J. Cop, Sr. This transaction was captured on bank surveillance. This check was returned as counterfeit. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
33. On 06/14/05, at 13:22 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wachovia Bank located at 310 Dove Run Center Blvd, Middletown, De 19709. He presented a check, #27506, drawn on The Fountainhead Title Group, made payable to James W. Johnson in the amount of \$4526.00. The subject presented a NJ license in the name of James W. Johnson. This transaction was captured on bank surveillance. This check was returned as counterfeit. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.
34. On 06/15/05, at 11:52 hours, an older black male, later identified as Jimmie Lee Lark, responded to the Wachovia Bank located at 100 N. Dupont Hwy, Dover, De 19901. He presented a check, #27507, drawn on The Fountainhead Title Group, made payable to James W. Johnson in the amount of \$4526.00. The subject presented a NJ license in the name of James W. Johnson. This transaction was captured on bank surveillance. This check was returned as counterfeit. The suspect's Pennsylvania driver's license photo was viewed and it matched the photo of the suspect in the bank surveillance photos.

35. The total amount of counterfeit checks negotiated by Lark and detailed here is \$61,236.33.

36. On October 19, 2005, your affiant advised Lark of his *Miranda* rights. After waiving his rights, Lark admitted to negotiating counterfeit checks.

37. All checks discussed in this affidavit were returned as counterfeit.

Based on the information listed above, your affiant submits that there is probable cause to believe that Jimmie L. Lark negotiated counterfeit checks with the intent to deceive financial institutions in violation of Title 18, United States Code, Section 513. Therefore, your affiant respectfully requests that the court issue a warrant for the arrest of Jimmie L. Lark.


Nancy Skubik
Detective
Delaware State Police